

**MANDATE**

**United States Court of Appeals  
For the First Circuit**

08-01918  
USDC AR  
Fuste, J.

No. 08-2107

↓  
#35

SYLVIA DIFFENDERFER, ET AL.,


Plaintiffs, Appellees,

v.

GERARDO CRUZ-MALDONADO,

Defendant, Appellant,

Certified and Issued as Mandate  
under Fed. R. App. P. 41.

  
Richard Cushing Donovan, Clerk  
Deputy Clerk

RAMON E. GÓMEZ-COLÓN, ET AL.,  
Defendants.

Date: 1/6/08

Before

Lynch, Chief Judge,  
Torruella and Howard, Circuit Judges.

JUDGMENT

Entered: September 4, 2008

~~In their response to appellant's motion for a stay pending appeal, plaintiffs have moved to dismiss the appeal on the ground that Gerardo Cruz-Maldonado, the only party who has filed a notice of appeal, lacks standing to appeal from the district court's order. We agree. As a single member of the Commission, Commissioner Cruz-Maldonado has no personal stake in the outcome and no damages were awarded against him. He therefore lacks standing to appeal, and we lack jurisdiction in this case. See Bender v. Williamsport Area School District, 475 U.S. 534, 543 (1986).~~

Dismissed. 1st Cir. R. 27.0(c).

By the Court:

/s/ Richard Cushing Donovan, Clerk.

cc:

Juan Jose Nolla-Acosta, Noel Gonzalez-Miranda, Michael C. McCall, Emil J. Rodriguez-Escudero, Jorge Martinez-Luciano, Simone Cataldi-malpica, Eliezer Aldarondo-Ortiz, Claudio Aliff-Ortiz, Sheila J. Torres-Delgado, Ivan M. Castro-Ortiz, Carmen E. Torres-Rodriguez

NOTE: Record retained for USCA #08-2139 (NOA #57,83).

08-1918 (JAF)

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